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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/670,726	09/26/2003	Eran Elias	Q77202	6621
23373	7590	09/26/2006	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			TIEU, BINH KIEN	
			ART UNIT	PAPER NUMBER
			2614	

DATE MAILED: 09/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/670,726

Applicant(s)

ELIAS ET AL.

Examiner

BINH K. TIEU

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected. .
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-15 and 17-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Baratz et al. (Pub. No.: US 2004/0213208 A1).

Regarding claim 1, Baratz et al. (“Baratz”) teaches an incomplete call notification apparatus comprising:

a determination unit for detecting an uncompleted call by at least one of receiving a signal from a telephone switch and monitoring operation of said switch,

an interrogation unit for obtaining, from said switch, call data of said uncompleted call, said call being to a given called party, and

a forwarding unit for arranging said called data into a format for forwarding to said called party (paragraphs [0055] and [0056]).

Regarding claims 2-2, note paragraphs [0051]-[0053].

Regarding claim 4, note paragraphs [0057]-[0059].

Regarding claims 5-6, note paragraph [0045].

Regarding claim 7, note paragraph [0042] and [0063]-[0065].

Regarding claim 8, Baratz teaches an incomplete call notification apparatus comprising:
an input for receiving last call data from a telephone network switch, said last call data comprising at least caller identification information,

a database for storing at least said caller identification information from said input, and
a data retrieval unit, associated with said database and activatable from a telephone for forwarding said caller identification information to a called party (paragraphs [0042]-[0044]).

Regarding claims 9-10, note paragraphs [0064]-[0065].

Regarding claims 11-12, note paragraphs [0035] and [0053].

Regarding claims 13-15 and 19, note paragraph [0045].

Regarding claims 17-18, note paragraph [0065].

Regarding claim 20, note paragraph [0051].

Regarding claim 21, note paragraph [0048].

Regarding claim 22, Baratz teaches an incomplete call notification database and retrieval apparatus comprising:

a database, associated with a telephone network, for storing caller identification information for a given called subscriber whenever a call to said subscriber is not completed, said database being located remotely from said subscriber, and

a retrieval unit, associated with said database and activatable from a telephone for forwarding said caller identification information to said given subscriber (paragraphs [0042]-[0044] and [0063]-[0065]).

Regarding claim 23, Baratz teaches an incomplete call notification database and retrieval apparatus comprising:

a database, associated with a telephone network, for storing caller identification information for a given called subscriber whenever a call to said subscriber is not completed, said database being located remotely from said subscriber,

an aggregation unit, associated with said database and comprising:

a comparator for determining whether current call identification information is the same as already stored caller identification information, and

an aggregator, associated with said comparator, for arranging said current call identification information together with any already stored caller identification information identified by said comparator as a single item, and

a retrieval unit for allowing a called party to access said arranged item (paragraphs [0042]-[0045] and [0063]-[0065]).

Regarding claim 24, Baratz teaches a method of obtaining sources of incomplete calls over a telephone network comprising:

setting a network exchange switch with a protocol for sending caller identification information of calls made through said switch and not completed, said caller identification information being indicative of said source,

receiving said caller identification information at a notification platform on said network, and

forwarding said caller identification information to said respective called party (paragraphs [0042]-[0044]).

Regarding claim 25, Baratz teaches a method of obtaining sources of incomplete calls over a telephone network comprising:

setting a network exchange switch to signal to a notification platform that a call has been placed through said switch and not completed,

receiving said signal at a notification platform on said network,

requesting stored last call data from said switch in response to said notification, said last call data being at least indicative of a respective source, and

arranging for forwarding of data indicative of said source to said respective called party (paragraphs [0042]-[0044] and [0053]-[0056]).

regarding claim 26, note paragraph [0051]-[0053].

Regarding claim 27, Baratz teaches a telephone network exchange switch set to:

a) detect that a call is released by a calling party without being completed by answering at a called party,

b) obtain caller identification information of said calling party, and

c) send said caller identification information to a predetermined location

for retrieval by said called party (paragraphs [0054]-[0064]).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Baratz et al. (Pub. No.: US 2004/0213208 A1) in view of Matsumoto et al. (US. Pat. #: 6,798,872).

Art Unit: 2614

Regarding claim 16, Baratz teaches all subject matter as claimed above, except for updating the current time associated with the current call. However, Matsumoto et al. ("Matsumoto") teaches such features in col.6, line 61 through col.7, line 45 for a purpose of indicating to the recipient the accurate time the call was initiated.

Therefore, it would have been obvious to one of ordinary skill in the art the time the invention was made to incorporate the use of the features of updating the current time associated with the current call, as taught by Matsumoto, into view of Baratz in order to indicate to the recipient when the call was made.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh K. Tieu whose telephone number is (571) 272-7510 and E-mail address: BINH.TIEU@USPTO.GOV.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz, can be reached on (571) 272-7499 and **IF PAPER HAS BEEN MISSED FROM THIS OFFICIAL ACTION PACKAGE, PLEASE CALL CUSTOMER SERVICE FOR THE SUBSTITUTIONS OR COPIES.**

Any response to this action should be mailed to:

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Or faxed to:

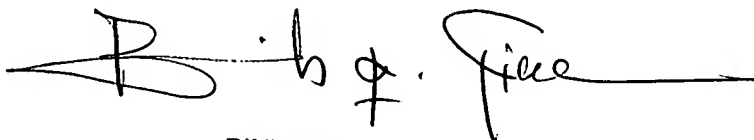
(571) 273-8300

Hand Carry Deliveries to:

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Art Unit: 2614

In formation regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Binh Tieu", with a stylized flourish at the end.

BINH TIEU
PRIMARY EXAMINER

Technology Division 2614

Date: September 2006